

Jan 1 88

Post

HAYNES JOHNSON

Best Proposed Law of 1988

For the new year, here's old business on my personal congressional wish list:

No matter how otherwise frustrating the inevitable 1988 presidential election bickering in Washington proves to be, passage of only one pending bill will ensure that at least something significant will have been achieved in the last session of Congress. That's S. 1721, the so-called Cohen/Boren bill.

Admittedly, Cohen/Boren is not a household term, but it ought to be. It addresses a critical national issue: proliferating U.S. covert intelligence operations, with the Iran-contra affair as the latest terrible example.

"In the last year or so, we have witnessed the recurrence of an all too frequent problem: covert activities that get out of control and embarrass the nation and undermine our credibility and our capability to exercise world leadership," Clark M. Clifford told the Senate intelligence committee in strongly backing Cohen/Boren a few days before Christmas. "Moreover, this problem is getting worse, the costs are getting higher and the damage is getting greater. For this reason, I say that, unless we can control covert activities once and for all, we may wish to abandon them."

No one is more qualified to speak on this subject than Clifford, key counselor of many presidents and former secretary of defense.

In 1946, President Harry S Truman asked Clifford to study the idea of establishing the first peacetime intelligence agency in American history. Out of that assignment came the drafting of the National Security Act of 1947, which, when passed by the Congress, created the Central Intelligence Agency. For 40 years, that act has remained the only statutory authority for covert operations.

Clifford and others who drafted that original act were aware that in giving the nation a regular secret operational capacity for the first time they were dealing with a new, potentially risky enterprise. While Soviet expansionism and the Cold War's advent justified taking bold actions, Clifford worried about the United States creating a Frankenstein—a monster that, in the name of safeguarding U.S. democracy, would jeopardize basic democratic principles. As Clifford put it, "There was concern that our nation not resort to the tactics of our enemies in order to resist them."

With that in mind, the act contained a carefully worded "catchall" clause providing that the CIA shall "perform such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct."

These were intended to be separate and distinct from normal CIA activities, Clifford recalled in his recent testimony, "and they were intended to be restricted in scope and purpose. The catchall clause was crafted to contain significant limiting language: 'affecting the national security.'"

That original limiting intent has been repeatedly thwarted. Clifford again:

"We have seen an egregious deviation from the original conception of how that act was supposed to function. Covert activities have become numerous and widespread, practically constituting a routine component of our foreign policy. And with these activities have come repeated instances of embarrassing failure—where the goals of the operations themselves were not fulfilled and unforeseen setbacks occurred instead. I believe that on balance covert activities have harmed this country more than they have helped us. Certainly efforts to control these activities, to keep them within their intended scope and purpose, have failed."

Hence, Cohen/Boren in the wake of the Iran-contra debacle and the failure of Congress to exercise its proper constitutional oversight role.

The bill would require the president to sign a written "finding" describing the particulars of a covert activity to Congress within 48 hours of approving it—a change in law opposed by the Reagan administration. If he chose to limit notification to the smaller group of eight congressional leaders, the president would have to explain why and give notice of any significant changes in any covert activity.

These are important changes, but in Clifford's expert opinion they don't go far enough. He'd add provisions automatically cutting off any funds for covert activities if the president failed to follow the prescribed 48-hour notification timetable—and also ensuring that criminal penalties would face any government employee who tried to get around the ban against spending funds for covert activities, as happened in the Iran-contra affair.

Pass it, with the suggested Clifford amendments. It's in the national interest, for 1988 and beyond.

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RGEST SELECTIONS AT THE BEST VALUE

Weather

Today: Mostly cloudy, cool. High 43. Low 20-27. Winds 6-16 mph.
Saturday: Partly sunny, cold. High 38. Winds north 8-16 mph.
Yesterday: AQI: 40. Temp. range: 27-48. Details on Page B2.

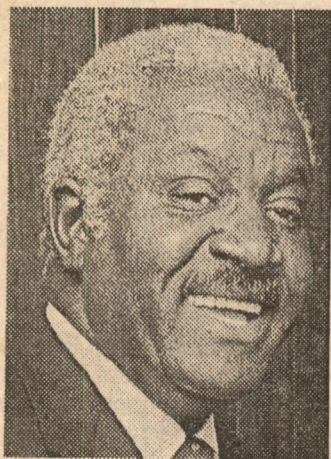
The Wash

111TH YEAR

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FRIDAY



ISAAC FULWOOD
... no "value on life"

Guns Mean Status to Some D.C. Youths

By Patrice Gaines-Carter
and Lynne Duke
Washington Post Staff Writers

In the Northeast neighborhood where 15-year-old Sean Smith was shot to death Monday, some teen-agers accept the use of guns as a way to settle arguments.

"Why would you fight somebody when you can shoot 'em?" a bespectacled youth, 16, asked incredulously. "Instead of fighting, it's easier to shoot."

"If you fight, you could be up there all day," said his friend, a teen-ager dressed in a raccoon-fur jacket. "You could just shoot 'em and get it over with."

Both youths, who would not give their names, said they don't carry guns, but would, one said, if "someone was looking for me."

The proliferation of illegal guns on the streets in some D.C. neighborhoods, especially where drugs are heavily trafficked in, has spawned a new mentality in which the status symbol of firepower in some cases appears to outweigh the value of human life.

"There's something that's happening that defies anything that we can understand at this point," said Isaac Fulwood, assistant D.C. police

See GUNS, A14, Col. 1

Colombian, Wanted by U.S., Freed

Meese Terms Action 'Shocking Blow' to Anti-Drug Efforts

By Tom Wells
Associated Press

BOGOTA, Colombia, Dec. 31—A Colombian billionaire suspected of running a ring that supplies 80 percent of U.S. cocaine was freed from prison, but President Virgilio Barco charged tonight that the release was illegal.

Jorge Luis Ochoa Vasquez, on the top rung of alleged traffickers sought for extradition to the United States, walked out the front door of Bogota's La Picota prison last night, arm in arm with warden Alvaro Camacho and accompanied by his attorneys, the widely respected daily El Tiempo said. It headlined the account, "Once Again the Mafia Makes a Fool of Colombia."

[In Washington, Attorney General Edwin Meese III called Ochoa's release "a shocking blow to international law enforcement. The action is contrary to specific assurances by the Colombian government at the highest level that Ochoa, a Colombian national wanted by the United States in connection with a massive and notorious international narcotics cartel, would remain in custody pending his extradition . . . We are evaluating how best to proceed in light of this development."

[Federal law enforcement sources interviewed by Mary Thornton of The Washington Post said that because of Ochoa's release, agencies with authority along the U.S. borders will begin giving special attention to passengers and cargo from Colombia. One source described a similar past informal retaliation: "Flowers start rotting on the tarmac, frozen shrimp start unfreezing . . ." Shrimp and cut flowers are two major imports from Colombia.]

See COLOMBIA, A26, Col. 5

BOUND FOR U.S.



Nguyen Thi Thu Nguyet and son are United States under a new program.

Smoking Ban As Year of Adjustment

By Jay Mathews
Washington Post Staff Writer

LOS ANGELES, Dec. 31—The Great Airline Smoking Revolution of 1988, a time of tense readjustment to a new social order, began in spectacular fashion—if somewhat early—Wednesday night on TWA Flight 853 from Boston to Los Angeles.

When it was all over, 11 passengers had lit cigarettes and booed loudly to protest a temporary smoking ban, a flight attendant had filed criminal charges, the captain had radioed Los Angeles for police and four protesters were led away questioning.

That such passions could be flamed nearly four months later



JOHN FICARA—NEWSWEEK



TERESA ZABALA—PICTURE GROUP

Are 'covert ops' addictive and all too easily abused? Cohen (left) and Webster

Once Again, Controversy Over Covert Operations

Congress and the president vie for control

Covert operations have always made Americans uneasy. Secrecy in government runs against the grain in an open, democratic society—and the notion of intervening stealthily, sometimes with proxy fighters, in the affairs of other nations strikes many as downright immoral. Few people knew about early U.S. "covert ops": promoting a coup in Iran in 1953 and another the next year in Guatemala. But later actions, from the debacle at Cuba's Bay of Pigs in 1961 to Jimmy Carter's disastrous 1980 attempt to free U.S. hostages in Iran, stirred Americans' natural misgivings. Now, in the aftermath of the Iran-contra affair, with its covert-ops excesses, the controversy is percolating again.

At issue is how tightly the operations should be controlled and, more important, who should control them. A half dozen bills pending in Congress would strengthen congressional power over the CIA by requiring fuller and earlier disclosure of covert activities. CIA Director William Webster has tried to pre-empt these constraints with internal procedural reforms. He has also disciplined and demoted several agency officials, including Dewey Clarridge, who ran the CIA's contra operation from 1981 through 1984. Shortly after the Iran-contra hearings, the White House itself tried to outflank Congress by proposing new procedures for notifying it about covert ops. But now that Congress has gone on the offensive, the administration is doing everything it can to obstruct that effort.

For all the controversy, few if any re-

sponsible policymakers believe covert action should be abandoned. What divides them is the question of how readily it should be used. Republican William Cohen, vice chairman of the Senate Intelligence Committee, compares covert action to "a damn good drug," addictive and all too easily abused. Cohen, who is sponsoring one of the key measures under consideration in Congress, charges that former CIA director William Casey "resorted to [covert ops] more than is necessary or desirable." In Cohen's view, clandestine measures should be used only after all other methods have been exhausted. Defenders of covert ops agree in theory but warn that it would

be a mistake to see them only as a last resort. Often, says former CIA official Cord Meyer, "there is no alternative." Seemingly uncontroversial projects like U.S. support for the democratic opposition in Panama and Chile would be counterproductive, this argument goes, if local nationalists could prove the aid came from Washington. And even open secrets like U.S. aid to the contras and the Afghan rebels must remain "officially covert," Meyer says, if neighboring Honduras and Pakistan are to go on helping in these efforts.

Policy divide: Another central concern is that those who perform covert operations cannot be relied upon to stay within the bounds of U.S. foreign policy. Cohen charges that Casey deliberately "circumvented the democratic process," avoiding a public debate about goals. Webster now assures Congress that future operations will be consistent with declared U.S. policy. Virtually all experts agree that clandestine measures should meet certain tests—feasibility, proportionality, decency of means—and must be designed so that U.S. interests would not be damaged if an operation were revealed. Nevertheless, many in Congress are loath to trust the agency or the administration. And some congressmen would like to codify existing executive guidelines—including the ban on assassinating foreign leaders—in a legislative "intelligence charter." After all, Cohen says, "presidents change their minds," and voluntary guidelines are no defense against men like Casey with little compunction about bending the law.

Both Congress and the administration have dug in for a long battle about oversight. Last month the Senate Intelligence Committee approved a bill, sponsored by Cohen and chairman David Boren of Oklahoma, that would significantly tighten existing procedures. The most controversial provision would require the White House to inform Congress no more than 48 hours

A question of how readily secret plans should be used: Casey, the failed Iranian rescue mission,

JAMES NACHTWEY—MAGNUM



after approving an operation. As the law stands now, such notification need only be "timely"—and the Reagan White House waited 11 months before telling Congress about the Iran arms sales. The administration, which says this measure would "seriously impair" its foreign policy, insists that some secret operations simply cannot be revealed. The possibility of leaks, it says, would put U.S. operatives in danger and discourage third countries from collaborating. (Former intelligence officials say that Canada, which helped with the 1980 Iran rescue effort, did so only on the condition that Congress not be told.) A handful of CIA veterans question the administration view. Former director William Colby feels that "the 48 hours is reasonable" and so does former deputy director John McMahon. Yet the president remains vehemently opposed to the notification rule and threatens to veto the bill.

Beyond control? Will this standoff with the White House prevent Congress from creating adequate oversight? Cohen doesn't think so. "We have a pretty good working relationship [with the administration]," he says. He is confident that the intelligence committees can do a responsible job, resisting the temptation to derail covert activities by leaking them to the press. Unfortunately, as Gregory Treverton points out in "Covert Action," one of several new books on the subject, history is not encouraging about the prospects for effective control. The far-reaching congressional investigation of the 1970s—the Church committee inquiry—did not prevent renegade covert operations during Casey's reign at the CIA. Nor did increased congressional vigilance after the 1984 mining of Nicaragua's harbors. Covert operations tend to slip out of control. The problem is that in certain situations there seems to be no alternative to this dangerous and powerful weapon.

TAMAR JACOBY with
RICHARD SANDZA in Washington

Afghan rebel with U.S. Stinger missile

GAMMA-LIAISON



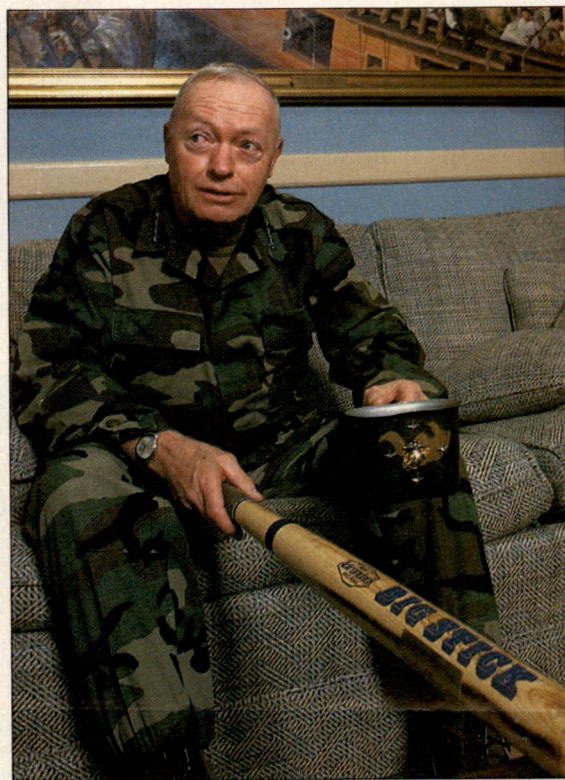
The Marine 'Grunt General'

Tough-talking Al Gray tries to shape up the corps

Squat and stern, U.S. Marine Corps Gen. Al Gray paces back and forth across the stage, silver stars glistening on the collar of his fatigues. "I don't think boot camp is tough enough," he growls. "I think we pamper them too much." He warns that "careerism is rampant throughout the corps" and vows: "I'm going to stamp it out." In the dim auditorium at the Cherry Point (N.C.) Marine Corps Air Station, 2,000 sergeants shift uneasily in their chairs. Then Gray turns his scorn on military rules of engagement that hogtie Marines standing watch in far-flung trouble spots. "I'm going to do away with rules that say you can't take anybody out until he threatens you with bodily harm," the general pledges. "I say take 'em out ahead of time!" The leathernecks let out a roar.

When Al Gray, 59, was appointed commandant of the Marine Corps last summer, Navy Secretary James Webb likened him to the Army's legendary "blood and guts" general, George S. Patton. Ordinary Marines call Gray, who dropped out of college to join the Marines, the "Grunt General." It is an apt title. Unlike many of his predecessors as commandant, Gray came up through the ranks. He began his career as an infantryman in Korea, where he received a battlefield commission as an officer. The promotions were steady, and when it came time to evacuate Saigon at the conclusion of the Vietnam War, Gray was chosen to coordinate the effort. He was a three-star Marine Fleet Force commander when Webb chose him as commandant to succeed Gen. P. X. Kelley. The careers of Gray and Kelley could not be more unlike. Kelley was a skilled bureaucrat, a player on the Washington social circuit. "Al Gray is a warrior," says Webb. "He knows how to fight, and he knows how to teach people to fight."

If the Grunt General has his way, all Marines will again be grunts. Gray's aim is to shape up a corps that, he feels, has gone astray and been besmirched by some of its own members. Lt. Col. Oliver North slipped his leash at the White House and went on a rampage of geopolitical swashbuckling.



WALLY McNAMEE—NEWSWEEK

Uncomfortable in dress blues: Commandant and bat

The poorly defended Marine barracks in Beirut was bombed, and a sex-for-secrets scandal entangled the Marine embassy guards in Moscow. These incidents badly damaged Kelley and impaired his effectiveness. But more important to Gray is the overall softness he believes has overtaken the corps. In his view, changes in Marine training—some a result of budget pressures, others a result of the liberalizations of the 1970s—have taken the corps too far from the battlefield. He wants to bring the Marines back to a basic mission: as he describes it, the ability to "go to war tonight."

Starting this month, all Marines, regardless of their jobs, will resume the advanced infantry training that was eliminated for most Marines in the early '70s. At boot camp on Parris Island and in San Diego, courses like "how to write a check" and "the anatomy of men and women" have been dropped. They have been replaced by more rigorous instruction in hand-to-hand combat and live-grenade training, courses that were watered down after too many Marines were injured. To prepare Marines for unconventional brush-fire wars in the Third World, Gray has ordered more train-

ing in stealth tactics, night rescues and infiltration. "We need to teach these high-school graduates with their football letters from East Cupcake, Neb., a little bit about being streetwise," he barks. From now on, all Marine sentries will carry loaded rifles—one way to possibly avoid a recurrence of the tragic bombing in Beirut where Marines with unloaded weapons watched helplessly as a bomb-loaded car smashed into their compound, killing 241.

Gray has disdain for Marines who jog "in cute little silk shorts." He favors a much tougher approach, conditioning troops by forced marches with backpacks. Training for marathons—which to the hosts of Washington's annual Marine Corps Marathon has become something of an obsession—is a waste of time, he says. "I'm a hell of a lot more interested in a Marine who can carry a wounded Marine across the battlefield." He is indifferent to spit and polish. "I don't give a shit how you look," he tells enlisted men. "I care how you *are*." Gray himself feels uncomfortable in dress blues and prefers to be photographed in his camouflage fatigues, or "utilities" as Marines call them. Indeed, mottled brown-green is almost a fetish with Gray. In his office, he drinks coffee from a camouflage-painted canteen cup. His troops gave him a camouflaged spittoon for his chaw, and at dedication ceremonies for new facilities Marines now use camouflage ribbon.

Painted baseball bat: Wielding a camouflage-painted baseball bat—inscribed "Big Stick"—Gray roams Marine headquarters in Washington armed for combat with the "little old ladies in tennis shoes who stand in the way of progress." He means Pentagon bureaucrats who resist his reforms. To his shock and anger, Marine Corps officials have disregarded some of his orders because they were delivered verbally—not written in quintuplicate.

Just how willing Gray is to bypass the bureaucrats could be seen after his pep talk at Cherry Point. A hulking sergeant beseeched Gray for a waiver of weight restrictions—usually a matter for the bureaucrats—that threatened to force the sergeant from the corps. The commandant promptly dropped to the floor in three-point stance. "You play football?" he demanded. "Gimme a stance." The startled sergeant just gaped. Gray stood up: "You play backfield or line?" he asked. "Backfield," the sergeant replied, recovering his composure. "I can run over a guy your size," he boasted. Gray shot back: "Do it." Discretion prevailed. "No, sir," said the sergeant. Gray asked him how fast he could run a hundred yards. "Ten seconds," claimed the sergeant. "Tell you what," Gray ruled. "You do the hundred in 10.1 and I'll keep you around."

RICHARD SANDZA at Cherry Point, N.C.



MARTY KATZ

Deadly symbol of status and power: A 15-year-old from Baltimore and his Beretta

Kids: Deadly Force

Gunfights are replacing fistfights as firearms become a major problem in the nation's schools

Two weeks before Christmas Day, 17-year-old Kendall Merriweather was shot and killed a few blocks from his high school in southeast Washington, D.C. Police arrested two teenage students who they believe killed Merriweather while trying to steal his "boom box" radio.

A few days earlier in Pasadena, Texas, a 14-year-old eighth grader at Deepwater Junior High School whipped a snub-nosed .38 out of his jacket and held the assistant principal hostage for two hours. Police said the boy was distraught over his parents' recent separation.

Last week late-evening commuters found the bullet-ridden body of 13-year-old Rolando Mattie at an Oakland, Calif., bus stop. Police believe the seventh-grade dropout was a crack dealer and are looking for five suspects—most of them Mattie's age—in connection with the murder.

These were not isolated incidents. All across America, the number of kids using—and being harmed by—guns is rising at an alarming rate. According to the U.S. Department of Justice, more than 27,000 youths between 12 and 15 were handgun victims in 1985 (the most recent figures), up from an average of 16,500 for each of the three previous years. But officials admit that as grim as those statistics are, they grossly understate the extent of the problem. In recent years, city streets have become flooded with unregistered and untraceable handguns, available to anyone of any age with a bit of cash. In New York,

revolvers can be bought on street corners for as little as \$25. Some dealers are even willing to "rent" a gun for an evening, deferring payment until the teen can raise money through muggings and robberies. Youth gangs in Los Angeles protect their turf with black-market Uzi submachine guns and Russian-made AK-47 assault rifles, easily financed by the crack trade. Children who live outside urban areas have an even cheaper source of firearms: dad's closet. In California, 38 percent of all households contain a gun. Often, parents don't realize that their .357 magnum or shotgun is missing. "Guns seem to be enjoying a new chic," says handgun expert Garen Wintemute, a Sacramento physician. "The increased prevalence of gun carrying among students is reflective of an increased general interest in guns in this country."

Nowhere is the proliferation of firearms among youths more startling than in city high schools. In Baltimore last spring, newly appointed Circuit Judge Ellen Heller was so shocked at the number of minors charged with gun crimes that she ordered a survey of weapon use among students. The results were even worse than she expected. Of 390 city high schoolers polled, 64 percent said they knew someone who had carried a handgun within the preceding six months; 60 percent knew someone who had been shot, threatened or robbed at gunpoint in their school; almost half of the male respondents admitted to having carried a handgun at least once.

Cities with far fewer gun incidents than

Weather

Today: Mostly cloudy, morning showers. High 63. Low 43.
Friday: Partly sunny, cool. High 54. Winds 9-15 mph.
Yesterday: AQL: 40. Temp. range: 44-66. Details on Page D2.

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110TH YEAR

No. 356

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THURSDAY, NOVEMBER 26, 1987

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THE FEDERAL PAGE

(A 21)

Lifting the 'C' From Covert Action

Group of Ex-Spies to Press Hill for Ban on Undercover Work

By David B. Ottaway
Washington Post Staff Writer

Proclaiming dissent an "honorable American tradition," a group of former Central Intelligence Agency spies, spymasters and analysts has established an organization to campaign for an end to covert activities by the U.S. government in the wake of the Iran-contra affair.

"Seven presidents since World War II have watched their administrations destroyed utterly or deeply embarrassed and the country discredited by covert action," said John Stockwell, who ran the CIA's covert operation at the start of the Angolan civil war in 1975 and is executive director of the newly created Association for Responsible Dissent (ARDIS).

"We are going to try to expose covert action. We're going to try to get it legally banned because we can find no reason, no justification, for covert action on the part of the U.S. government in the name of the American people," Philip C. Roettinger said.

Roettinger, a former CIA case officer who helped to overthrow Guatemalan President Jacobo Arbenz in 1954, is the association's president.

Fifteen members of the group held a news conference Tuesday at the National Press Club to announce formation of the association, timed to coincide with publication of the Iran-contra report by congressional investigating committees.

In addition to lobbying, the group plans to set up a computerized research center on U.S. covert activities based in Herndon and run by Ralph McGehee, a former CIA operations officer.

Several of the members had high praise for the Iran-contra report—at least the one published by the majority of 18 Democrats and Republicans—but decried the relatively limited proposals for changes



"We can find no reason, no justification, for covert action"

—Philip C. Roettinger

contained in the final recommendations as "a great non sequitur."

"It's as if the majority report, as excellent as it is, was written by 18 guys made Pontius Pilate," said David C. MacMichael, a former CIA national intelligence council analyst for Central America and the association's director of policy studies.

"These guys ought to be punished and these actions ought to be stopped, and we think somebody ought to do it," MacMichael said of the various CIA and National Security Council people involved in the Iran-contra affair.

"I can tell you who ought to do it. It is indeed the Congress. If they want to stop it, it can be stopped," he said.

In addition to Stockwell, Roettinger

and MacMichael, the association's leadership includes Philip B.F. Agee, a former CIA operations officer and a leading CIA critic; Wilbur C. Eveland III, an ex-CIA operations officer in the Middle East; Ilona Maria Lorenz, a former CIA undercover agent in Cuba, and Melvin Beck, an ex-CIA counterintelligence specialist.

The only non-CIA figure among the 15 persons at the news conference was Brian Willson, a peace activist whose legs were amputated after he was run over by a Navy munitions train in Concord, Calif., on Sept. 1.

Many of the association's leaders—such as Agee, Stockwell, Beck and Eveland—have written books about their personal experiences in the agency and criticized the CIA.

Asked what the CIA's reaction to the organization might be, Stockwell replied, "My guess is that they have been wondering for 10 years why we've been so slow in getting organized."

A reporter asked whether ARDIS leaders would be dismissed as "a bunch of crackpots."

"No, sir," Stockwell shot back. "We're distinguished citizens, doctors, lawyers and attorneys. We have medals that we earned risking our lives defending the country."

According to ARDIS leaders, the association intends to lobby for prohibition of covert activities through personal contacts and "delivering several hundred lectures and interviews" in the next year.

While the association will work to expose CIA covert actions, it will not disclose names of agents involved, Stockwell said.

"In the simplest possible English, this organization works within the system. It respects the law. The law prohibits the revelations of secret agents' names, and we will not be revealing names," he said.

- over -